AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE NOISE ORDINANCE, CHAPTER 13.3 OF THE APPOMATTOX COUNTY CODE

WHEREAS, §15.2-1427 and §15.2-1433 of the Code of Virginia (1950), as may be amended from time to time, enable a local governing body to adopt, amend, and codify ordinances or portions thereof; and

WHEREAS, Appomattox County Code §13.3, Noise, declares that, at certain levels, noise can be detrimental to the health, safety and quality of life of inhabitants of the County, and in the public interest, noise, should be restricted; and

WHEREAS, it is the policy of the County to reduce and eliminate, where possible, excessive noise and related adverse conditions in the community, and to prohibit unnecessary, excessive, harmful, and annoying noise from all sources, subject to its police power; and

WHEREAS, at the July, 2024 regular meeting of the Board of Supervisors, the Board requested that the Planning Commission review the Noise Ordinance, as it relates to excessive noise in residential areas; and

WHEREAS, the Appomattox County Planning Commission, along with the County Attorney and staff, studied this issue, sought input from law enforcement, and reviewed noise complaints dating back to 2022; and

WHEREAS, a recommendation was put forth concerning a clarification of § 13.3-5, related to the Maximum Permissible Sound Level; and

WHEREAS, the full text of this amendment was available for public inspection in the Appomattox County Administration Office at 153A Morton Lane, Appomattox, Virginia, 24522; and

WHEREAS, on March 17, 2025, a public hearing was held on this matter, and all of those wishing to speak on this topic were heard; and

NOW, THEREFORE BE IT ORDAINED by the Board of Supervisors of Appomattox County that § 13.3-5 of the Appomattox County Code is hereby amended as follows (italics=new or added language, ~~strikethrough~~=deleted language):

A. In addition to the violations established by the preceding sections of this chapter, no person shall, between the hours of 11:00 pm and 6:00 am conduct, permit, or allow any activity *(or sound)* to produce a sound ~~discernable~~ beyond 100 feet

from said activity *(or sound)* that exceeds 80 dB(A) when measured as provided in §13.3-6.

The provisions of this Ordinance shall go into effect immediately upon adoption.

Adopted this day, 17th of March, 2025,

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John F. Hinkle, Chairman

ATTEST

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Susan M. Adams, Clerk